

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 02-00117 DAE
)	
Plaintiff,)	DECLARATION OF COUNSEL
)	
vs.)	
)	
ROY L. FROST,)	
)	
Defendant.)	
_____)	

DECLARATION OF COUNSEL

I, HARLAN Y. KIMURA, hereby declare as follows:

1. That I am counsel for Defendant ROY L. FROST (hereinafter “Frost”) having been appointed pursuant to the Criminal Justice Act.

2. I represented Frost in two (2) recent Revocation Of Supervised Release Proceedings herein, once on May 22, 2006 and another on June 23, 2006 (hereinafter “Revocation Hearings”).

3. On July 19, 2006, Frost advised me that he wishes to set aside and/or collaterally attack the orders and judgments of the above-entitled Court issued as a result of the Revocations Hearing and will assert “Ineffective Assistance Of Counsel” as grounds in support of the same.

4. Based upon the above, the Attorney-Client Relationship between us is irreparably and irretrievably broken and therefore, it is impossible for me to continue representing Frost.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

DATED at Honolulu, Hawaii, JUL 20 2006.


HARLAN Y. KIMURA